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January 10, 2002


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VIA HAND DELIVERY

The Honorable William Nickerson
United States District Court
101 W. Lombard Street
Baltimore, MD 21201

Re: A Dias Ramos, et al v. Tennsmith, Inc.
Civil Action No. WMN 01-CV-2742

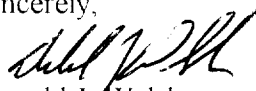
Dear Judge Nickerson:

Pursuant to your Scheduling Order, the parties have spoken about the discovery in this matter and the amount of time necessary to complete depositions and the other discovery. Neither party consents to proceeding before a Magistrate Judge and it does not appear that the case is currently in a position where the parties will be able to agree to ADR at this time. If this possibility arises in the future, the parties will certainly let the Court know. At this time both parties agree that the time  limitation for depositions of fact witnesses, exclusive of secondary meaning witnesses, should be set at 20 hours.

In addition, both parties have agreed that expert testimony await conclusion of the factual portion of discovery. At this time, Plaintiffs contemplate two types of experts, one as to damages and one as to the underlying issues of the alleged copying and its impact. This expert testimony will hinge on numerous facts developed through discovery and, as is the situation in other cases, expert testimony is difficult to formulate and finalize until all of these facts have been collected. Attempting to disclose these expert opinions by February 25 is not practical. The parties still agree to the sequence of expert disclosures as set forth in the Scheduling Order.

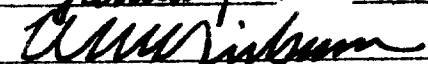
If you have any questions, feel free to call either me or Mr. Murphy at any time.

Sincerely,


Donald J. Walsh

cc: John Murphy, Esquire

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" APPROVED " THIS 11th DAY
OF January, 20 02

UNITED STATES DISTRICT JUDGE

